IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 13915 of 2004

Between:

S.C. Biswal, S/o. Biswal,
Employee No. 72418037, ASI/Exe,

Central Industrial Society Force,
HPCL/VR. Visakhapatnam.

..... PETITIONER

AND

1 The Deputy Inspector General,

Central Industrial Security Force, South Zone,
Head Quarters, Rajazi Bhavan, CHENNAI.
2 The Commandant, Central Industrial Society Force,
CISF Unit, Visakha Steel Plant, VISAKHAPATNAM.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in reduction of the petitioner to Lower Rank vide his Proceedings No.V-15014/CISF/ HPCL/VSP/DISC/MAJ/SCB/04/5680 as arbitrary, bad and illegal and violative of principles of natural justice and the same is liable to be quashed.

For the Petitioner: MR.KURITIBHASKARA RAO, ADVOCATE

For the Respondents: Smt. SHARADA, Addl. Standing Counsel for Central government

The Court before admission made the following:

THE HON'BLE Dr. JUSTICE G. YETHIRAJULU,

WRIT PETITION No.13915 OF 2004

ORDER:

The petitioner is working as ASI/Exe., in Central Industrial Security Force, HPCL/VR, Visakhapatnam, under the control of the 2nd respondent. He was imposed a punishment of "reduction to the lower rank i.e. HC/GD to lower time scale of HC/GD until he is found fit after three years from the date of this order to be restored to the higher post of ASI/EXE" by the competent authority, in a disciplinary proceedings dated 7.6.2004.

The petitioner being aggrieved by the order, finding him guilty and imposing him punishment, preferred an appeal to the 2nd respondent on 24.06.2004 and it is pending. During the pendency of the said statutory appeal, the petitioner approached this court through this writ petition.

The Writ Petition is pre-mature. Therefore, it is dismissed, giving liberty to the petitioner to prosecute the appeal before the concerned appellate authority and get an order on merits. The first respondent may expedite the disposal of the appeal. Dismissal of this Writ Petition is not bar for the petitioner to approach this Court at

appropriate time. No order as to costs.

6th August 2004

BCS+KSN

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Deputy Inspector General,

Central Industrial Security Force, South Zone,
Head Quarters, Rajazi Bhavan, CHENNAI.

2 The Commandant, Central Industrial Society Force,
CISF Unit, Visakha Steel Plant, VISAKHAPATNAM.

3. Two CCs to Standing Counsel for Central Government,

High Court Buildings, Hyderabad (OUT)

4. Two CD copies.